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February 2, 2010

VIA ELECTRONIC FILING

Charles L.A. Terreni
Chief Clerk/Administrator
State of South Carolina Public Service Commission
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Re: Petition of Certain Limousine Companies of Myrtle Beach, South Carolina to the Office of Regulatory Staff and the Public Service Commission of South Carolina to Cease and Desist the Issuance of Dual Authority - **Docket No. 2009-385-T**

Dear Mr. Terreni:

On February 2, 2010 this office received a notice of Oral Arguments in the above referenced case to be held before the Commission on May 6, 2010. This matter has already been set for both a prehearing conference on May 17, 2010 and a hearing on the merits on May 26, 2010. I am therefore confused as to the purpose of the May 6 hearing as well as what parties have been asked or ordered to participate in the oral arguments. The issue which the Commission has asked to be addressed in Oral Argument should also be the central issue in the merits hearing scheduled for May 17. Further, the electronic notice provided to ORS on February 2, 2010 does not appear to have been served on the Petitioners.

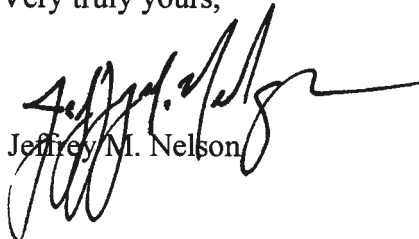
Additionally, two of the original Petitioners in this matter have withdrawn and it would appear that all of the remaining Petitioners, with the exception of possibly one, are corporations which should be required by the Commission to retain counsel to proceed in this matter.

As explained in ORS' report of November 30, 2009, ORS has taken action to address the concerns raised in the petition, have met with the Petitioners, and believes that the concerns stated in the Petition have been addressed to the satisfaction of all parties. No correspondence or filings have been made with the Commission by any of the Petitioners since September 2009, with the exception of those who have been asked to be removed as parties. ORS therefore believes that there is no longer a valid case or controversy in this case and that the matter should therefore be dismissed.

Finally, on January 13, 2010 the Commission issued a Directive requesting that ORS “refrain from refusing to issue multiple certificates to a single vehicle” until the oral arguments could be heard before the Commission. The subject of these oral arguments, as stated in the Commission’s Notice of Hearing, is ORS’ “authority to refuse to issue multiple certificates to a single vehicle.” To clarify, ORS does not issue, and the Commission does not approve, certificates for vehicles. Certificates are issued to individuals or corporations. ORS has not ceased the issuance of multiple certificates to individuals or corporations. What ORS has done is to require that certificate holders identify which vehicles are being operated under which certificates. As the Commission’s Regulations provide different requirements for Class C Charter and Class C taxi vehicles, a single vehicle cannot operate as both a taxicab and a limousine under the Commissions regulations.

I hope this letter clarifies both the actions of ORS in response to the Petition in this case. ORS would request that the Petitioners in this case provide some type of response to this office and the Commission to clarify their position in this matter and whether or not there is a need to proceed with the numerous hearing, conferences and arguments which have been scheduled for May.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffrey M. Nelson", with a long horizontal flourish extending to the right.

cc: Parties of Record

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-385-T

IN RE: Petition of Certain Limousine Companies of)
 Myrtle Beach, South Carolina to the Office of) **MOTION TO DISMISS**
 Regulatory Staff and the Public Service)
 Commission of South Carolina to Cease and)
 Desist the Issuance of Dual Authority)

The Office of Regulatory Staff (“ORS”), pursuant to 26 S.C. Code Regs. 103-829, 103-804(T), 103-805(B), 103-825(A) and SCRCP Rule 12(b)(6), hereby moves for an order dismissing the application in the above-referenced docket. In support thereof, ORS would respectfully show as follows:

1. This matter is before the Public Service Commission of South Carolina (“the Commission”) pursuant to the Application filed by Daniel Saporita Salbo Enterprises, incorporated d/b/a Limo Scene, Edward Seeley d/b/a AA Extreme Limousine of Myrtle Beach, Incorporated, John Jennings Premiere Limousine, Ltd., Joseph B. Reinhardt AA Carolina Events, Incorporated, Robert W. Carroll Robert W. Carroll d/b/a City Cab, Atlantic Coast Limousine, LLC, and Only 1 Limousine, LLC (herein “Petitioners”) on September 14, 2009.

2. On November 4, 2009 the Commission dismissed the Petitioner Atlantic Coast Limousine, LLC as a party to this action.

3. On January13, 2010 the Commission dismissed the Petitioner Only 1 Limousine, LLC as a party to this action.

4. Based on information and belief the remaining Petitioners Salbo Enterprises, Incorporated, AA Extreme Limousine of Myrtle Beach, Incorporated, Premiere Limousine, Ltd., and AA Carolina Events, Incorporated are corporations. In accordance with 26 S.C. Code Regs. 103-805(B) and 103-824(B) the Complaint in this matter was required to be signed and filed by an Attorney licensed to practice in the State of South Carolina. Further, in the four and one-half months since the Petition was filed in this matter none of the parties have filed anything with the Commission or ORS to indicate that they have obtained counsel to prosecute this matter before the Commission.

5. The document accepted by the Commission as a "Petition" in this matter fails to meet the requirements of S.C. Code Ann. Regs 103-823, 103-824, 103-825. Further, the Petition fails to state facts sufficient to constitute a cause of action against ORS and should therefore be dismissed under SCRCF Rule 12(b)(6).

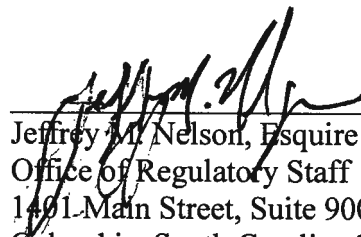
6. On November 30, 2009 ORS reported to the Commission that it had met with the Petitioners in this matter and had planned to institute certain procedures on or about January 1, 2010 which would resolve the issues raised in the Petition. In the two months since that letter was filed with the Commission and served on all parties, none of the Petitioners in this matter have filed any correspondence, pleadings, discovery or other matters with the Commission to dispute the claims made in that letter or to otherwise indicate a continued desire to prosecute the issues raised in the Petition of September 14, 2009.

7. Pursuant to 26 S.C. Code Ann. Regs. 103-804(T)(1)(a) and (b), the corporate Petitioners are required to be represented, in a proceeding before the Commission, by an attorney authorized to practice law in South Carolina (or authorized to practice before the courts of any other state upon association with an attorney admitted to practice in South

Carolina). There has been no letter of representation filed by an attorney on behalf of any of the company's in this matter.

8. Pursuant to 26 S.C. Code Ann. Reg. 103-844(A), this matter may be dismissed with prejudice due to the failure to appear. None of the Petitioners in this matter have indicated an intent or desire to appear themselves or to have a licensed South Carolina attorney appear on their behalf at any of the proceedings currently scheduled before the Commission on May 6, 2010, May 17, 2010, or May 26, 2010.

WHEREFORE, having fully set forth its motion, ORS requests that it's Motion to Dismiss be granted and an order dismissing the Petition be issued. Finally, ORS requests that the Commission grant such other and further relief as is just and proper.



Jeffrey M. Nelson, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201
(803) 737-0823

February 3, 2010
Columbia, South Carolina

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2009-385-T

IN RE: Petition of Certain Limousine Companies of)
 Myrtle Beach, South Carolina to the Office of)
 Regulatory Staff and the Public Service)
 Commission of South Carolina to Cease and)
 Desist the Issuance of Dual Authority)

**CERTIFICATE OF
SERVICE**

This is to certify that I, Chrystal L. Morgan, have this date served one (1) copy of the **MOTION TO DISMISS** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

Edward Seeley, Owner
AA Extreme Limousine of Myrtle Beach, Incorporated
Post Office Box 7122
Myrtle Beach, SC, 29588

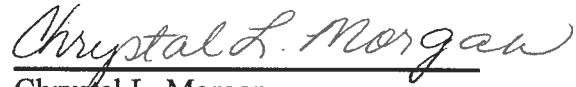
Ken Laukhuff, Owner
Atlantic Coast Limousine, LLC
411 7th Ave North
Surfside Beach, SC, 29575

Brion L. Smith, Owner
Brion L. Smith d/b/a Only 1 Limousine Service
2493 Edge Road
Conway, SC, 29526

John Jennings, President
Premiere Limousine, Ltd.
723 Luttie Rd
Myrtle Beach, SC, 29588

Robert W. Carroll, Owner
Robert W. Carroll d/b/a City Cab
9430 Leeds Circle
Myrtle Beach, SC, 29588

Daniel Saporita, Owner
Salbo Enterprises, Incorporated d/b/a Limo Scene
152 Clovis Circle
Myrtle Beach, SC, 29572


Chrystal L. Morgan

February 3, 2010
Columbia, South Carolina